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TRANSMITTAL LETTER
(General - Patent Pending)

Docket No.
L7307.04109

In Re Application Of: Gilles TATHAM, et al.

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/803,184	March 18, 2004	B. Broadhead	24257	3661	5111

Title: **AIRCRAFT PILOTING SYSTEM, AT LEAST FOR PILOTING THE AIRCRAFT DURING A NON PRECISION APPROACH WITH A VIEW TO A LANDING**

COMMISSIONER FOR PATENTS:

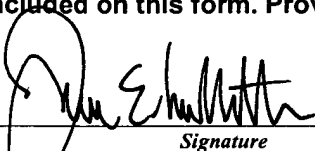
Transmitted herewith is:

a Submission under 37 CFR 1.114 and Summary of Substance of Telephone Interview

in the above identified application.

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Signature

Dated: December 18, 2006

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Inventor: Gilles TATHAM et al. Group Art Unit: 3661

Appln. No.: 10/803,184 Examiner: B. Broadhead

Filed: March 18, 2004

For: AIRCRAFT PILOTING SYSTEM, AT LEAST FOR PILOTING
THE AIRCRAFT DURING A NON PRECISION APPROACH WITH
A VIEW TO LANDING

SUBMISSION UNDER 37 CFR 1.114 AND
SUMMARY OF SUBSTANCE OF TELEPHONE INTERVIEW

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The Applicants respectfully request reconsideration and allowance of the application in light of the following remarks.

The Advisory Action dated December 5, 2006, states that the Amendment of November 9, 2006 has been considered but does not place the application in condition for allowance because, even though the effective date of US '638 is overcome by the submission of an English translation of the priority document, the examiner now relies upon the effective date of its provisional application 60/413,845 (having a filing date of September 25, 2002) which is earlier than the present French priority date. During telephone discussions on December 8 and

11, 2006, the undersigned pointed out to the examiner and his SPE that the final rejection did not cite the provisional application, nor list it on the PTO-892, nor did the final rejection indicate the examiner was relying on the disclosure of the provisional application. Thus, the undersigned pointed out that the final rejection failed to provide notice of such reliance. Nor did the final rejection establish a prima facie case for a rejection based on provisional application 60/413,845. The undersigned argued that, as a result, the final rejection should be withdrawn and a new office action should issue that asserts provisional application 60/413,845. However, the examiners were not willing to withdraw the final rejection, thus necessitating the filing of a Request for Continued Examination on December 11, 2006.

Accordingly, the indicated pending rejections are as follows: claims 2-15 under 35 USC §103(a), as unpatentable over Staggs (US 6,711,479) in view of Fagan et al. (US provisional application 60/413,845). The Applicants respectfully traverse these rejections based on the following points.

Independent claim 14 recites an aircraft piloting system that implements both a precision approach mode function and a non-precision approach mode function of determining the lateral and vertical deviations between the aircraft's actual and virtual

approach positions, as determined from information sources of the piloting system. The Final Rejection acknowledges that Staggs does not disclose such a piloting system (see the Final Rejection at page 3, lines 7-9), but proposes that Fagan does (see the Final Rejection at page 3, lines 11-15). The Applicants respectfully disagree.

As defined in Applicants' specification, a precision approach implemented by an aircraft is one that relies on information provided by a ground station and a non-precision approach is one that does not rely on information provided by the ground station (see specification page 1, lines 9-16 and 23-26).

Fagan does not disclose a piloting system that implements approach mode functionality without relying on information provided by a ground station. Thus, Fagan cannot disclose a piloting system that implements both precision and non-precision approach mode functionality, as proposed in the Advisory Action and Final Rejection.

Instead, Fagan's provisional application discloses an airplane receiver that receives "LAAS information from the ground station" providing position information to guide the airplane along the approach path (see Fagan provisional application page 31, penultimate paragraph). Fagan's non-provisional application amplifies this disclosure in Fig. 1, which shows an airplane 12

having a local area augmentation system (LAAS) receiver 20 that receives LAAS information from a "master station 18 ... mounted or provided on the earth," and uses this information to guide the airplane along the approach path (see Fagan's non-provisional application at paragraph [0094], lines 1-4, and paragraph [0047], lines 6-7).

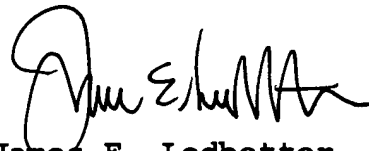
Thus, Fagan's teachings do not suggest modifying Staggs' system so as to integrate both precision and non-precision approach mode functionality in a single receiver, as recited in claim 14. The claimed feature makes it possible to use links between equipments (e.g., computers and sensors) that already exist. Thus, an implementation of the invention requires only modifications of a software type, thereby making it possible to reduce the cost and bulk of the implementation. Moreover, this solution is very robust and upgradeable, since in general it requires only software updates (see specification page 8, lines 13-24). The Applicants submit it is not obvious to integrate both the precision and non-precision approach mode functionality in a receiver because a non-precision approach and a precision approach are basically very different. It would not have been obvious from the teachings of Staggs and Fagan how to achieve such a combined system.

Accordingly, the Applicants submit that the individual or combined teachings of Staggs and Fagan do not render obvious the subject matter defined by claim 14. Therefore, allowance of claim 14 and all claims dependent therefrom is warranted.

In view of the above, it is submitted that this application is in condition for allowance and a notice to that effect is respectfully solicited.

If any issues remain which may best be resolved through a telephone communication, the Examiner is requested to telephone the undersigned at the local Washington, D.C. telephone number listed below.

Respectfully submitted,



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Registration No. 28,732

Date: December 18, 2006
JEL/DWW/att

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